

TROY LAW, PLLC
John Troy (JT 0481)
41-25 Kissena Boulevard Suite 119
Flushing, NY 11355
Tel: (718) 762-1324
*Attorney for the Plaintiff, proposed FLSA Collective and
potential Rule 23 Class*

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

-----X

LIYOU XING,
*on his own behalf and on behalf of others similarly
situated,*

Plaintiffs,
v.

Case No. 18-cv-06616

MAYFLOWER INTERNATIONAL HOTEL GROUP
INC

d/b/a Mayflower Hotel and
d/b/a Wyndham Garden;

MAYFLOWER BUSINESS GROUP, LLC

d/b/a Mayflower Hotel and
d/b/a Wyndham Garden;

MAYFLOWER INN CORPORATION

d/b/a Mayflower Hotel and
d/b/a Wyndham Garden;

MAYFLOWER WENYU LLC

d/b/a Mayflower Hotel and
d/b/a Wyndham Garden;

YAN ZHI HOTEL MANAGEMENT INC.

d/b/a Mayflower Hotel and
d/b/a Wyndham Garden;

MAYFLOWER 1-1 LLC

d/b/a Mayflower Hotel and
d/b/a Wyndham Garden;

YUEHUA HU,

WEI HONG HU a/k/a Weihong Hu, and
XIAOZHUANG GE

Defendants.

-----X

29 U.S.C. § 216(b)
COLLECTIVE ACTION &
FED. R. CIV. P. 23 CLASS
ACTION

**AFFIDAVIT OF SHUK C, NG-
LAM IN SUPPORT OF
PLAINTIFF'S MOTION FOR
CONDITIONAL
COLLECTIVE
CERTIFICATION**

I, Shuk C, NG-LAM, being duly sworn and under penalty of perjury, deposes and states as
follows:

1. I am a resident of Richmond County, New York, and I am over 18 years of age.
2. I have personal knowledge of the matters stated below.
3. From on or about August 01, 2016 to January 31, 2018, I was employed by Defendants to work as a Housekeeper at the Mayflower Hotel located at 61-27 186th Street, Fresh Meadows, NY 11365.
4. From on or about August 01, 2016 to January 31, 2018, my regular work schedule ran from 09:00 to 18:00 with one (1) hour meal break from 13:00 to 14:00 for eight (8) hours a day for five (5) days a week, the off day was not fixed. Besides my regular work schedule, ad to do overtime for one (1) hour per day for a total of 45 hours each week.
5. From on or about August 01, 2016 to March 31, 2017, I was paid a flat hourly rate of ten dollars (\$10.00) per hour.
6. From on or about April 01, 2017 to September 31, 2017 , I was paid a flat hourly rate of eleven dollars (\$11.00) per hour.
7. From on or about October 01, 2017 to January 31, 2018, I was paid a flat hourly rate of thirteen dollars (\$13.00) per hour.
8. At all relevant times I was not paid for all the hours worked.
9. At all relevant times, I was never informed of my hourly pay rate or any tip deductions toward the minimum wage.
10. Throughout my employment, I was not given a statement with my weekly payment reflecting employee's name, employer's name, employer's address and telephone number, employee's rate or rates of pay, any deductions made from employee's wages, any allowances claimed as part of the minimum wage, and the employee's

gross and net wages for each pay day in Chinese, my native language.

11. Throughout my employment, I was not compensated at least at one-and-one-half his

promised hourly wage for all hours worked above forty (40) in each workweek.

12. I know that it is Defendants' policy to not pay any employee at time and a half rate for all of their overtime hours. I know this because I have talked with other employees, who has the same or similar working schedule as me, and was told that they were also not paid for the total amount of time they have worked, nor compensated for all of their overtime hours worked.

13. During my employment, I befriended some of the co-workers who worked for Defendants and suffered same practice and policy.

14. I know a co-worker named Zhou, who also worked as a housekeeper and cleaner at the Wyndham Garden Hotel located at 61-27 186th Street, Fresh Meadows, NY 11365.

15. Zhou is forty-five or forty-six years old and around 1.62 meters in height.

16. Zhou started working for the Defendants from on and about August, 2016 and terminated by Defendants on or about December, 2017.

17. Zhou's working schedule ran from 9:00 to 18:00 with one-hour break from 13:00-14:00 for 5 days a week. In addition to her regular working schedules, she was also required to work overtime for about two hours per day. Throughout her employment with the Defendants, she worked around 50 hours a week.

18. I know Zhou's schedule because we worked together every day during her employment.

19. I know Zhou is paid at the rate of \$10 per hour from August 2016 and her rate increased to \$11 per hour in or around March 2017.

20. I know about Zhou's hourly rate because during one of my conversations with another co-worker Liu, he said that he overheard Boss interviewing her and how much he would pay her.

21. I know another co-worker named "Xu" who also worked as the housekeeper and elevator operator at the Wyndham Garden Hotel located at 61-27 186th Street, Fresh Meadows, NY 11365.

22. Xu is around thirty years old and around 1.60 meters in height. She told me she is from northern part of China.
23. Xu started working for the Defendants from on and about August 2016 and terminated by Defendants on or about December 2017.
24. During her employment, Xu's working schedule ran from 9:00 to 18:00 with one-hour break from 13:00-14:00 for 5 days a week. In addition to her regular working schedule, she was also made to work two additional hours per day. Throughout her employment with the Defendants, she worked for around 50 hours a week.
25. I know Xu's schedule because we had similar working hours during our employment with the Defendants.
26. I know Xu was paid about \$10 per hour from August 2016 and her rate increased to \$11 per hour in March 2017.
27. I am aware about her hourly rate because I talked to some employees who mentioned to me that, the boss was sued by other employees for unpaid minimum wage in March, 2017, due to the lawsuit, all the housekeepers' rate increased to \$11 dollars per hour.
28. I know another co-worker named "Xi Xi" who worked as housekeeper at the Wyndham Garden Hotel located at 61-27 186th Street, Fresh Meadows, NY 11365.
29. Xi Xi is around fifty years old and around 1.68 meters tall. She told me she came from Shanghai, China.
30. Xi Xi started working for the Defendants from on and about January 2017 and terminated by Defendants on or about June 2017.
31. During her employment, Xi Xi's working schedule ran from 9:00 to 18:00 with one-hour break from 13:00-14:00 for 5 days a week. In addition to her regular working schedule, she was required to work two additional hours per day. Throughout her employment with the Defendants, she worked for around 50 hours a week.
32. I know Xi Xi's schedule because we worked together every day during her employment with the Defendants.
33. I know Xi Xi was paid at the rate of \$10 per hour from August, 2016 and her rate promoted to \$11 per hour in March, 2017.

34. I am aware about her hourly rate because I talked to some employees who mentioned to me that, the boss was sued by other employees for unpaid minimum wage in March, 2017, due to the lawsuit, all the housekeepers rate increased to \$11 dollars per hour.

35. I sincerely believe there are other employees who are also paid less and are not paid for all the hours they worked for the Defendants.

36. I sincerely hope that this Court allows me to represent the interest of my co-workers in this action. These Defendants exploited me and my co-workers, and it is my hope that we will be permitted to recover wages that we are owed.

37. This has been translated into my native language of Chinese and I understand the contents.

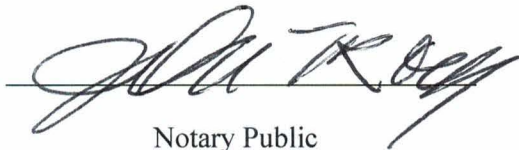
Dated: 05-15-2019

Flushing, NY



NG-Lam, Shuk

Sworn to me this 15th day of May, 2019



Notary Public

JOHN TROY
Notary Public, State of New York
No. 02TR6121824
Qualified in Queens County
Commission Expires 04/12, 2021